

CASTRO NEEDLESS OF DEMANDS MADE ON HIS COUNTRY

United States Warships May
Be Sent to Venezuela to
Settle Existing Dis-
pute.

DIPLOMACY TO BE USED.

State Department Hesitates to
Make a Show of Force Against
South American Country.

ASPHALT TROUBLE THE CAUSE.

Courts Refuse to Pass on Case of
American Company, and De-
lay Is Reason for Inter-
national Dispute.

REPUBLIC SPECIAL.

Washington, Jan. 20.—At the critical
moment of negotiations which promised
settlement of menacing differences be-
tween the United States and Venezuela,
President Castro has rashly tightened the
noose around his own neck.

Drastic action, backed up by men and
guns, to enforce justice for American in-
terests in Venezuela, is now withheld in
the bare hope that diplomacy may render
unnecessary the use of force.

The State Department feared the de-
claring of a position to Venezuela, which
had been cast today, when Minister
Bowen reported from Caracas that Presi-
dent Castro had left the capital officially
for ten days.

Familiar with Castro's practices, the
State Department knows that the de-
claration of a position to Venezuela, which
had been cast today, when Minister
Bowen reported from Caracas that Presi-
dent Castro had left the capital officially
for ten days.

This action is the culmination of a
series of incidents, culminating in the
United States, and steadily destructive of
what slight chances existed amicably of
settling the Venezuelan tangle.

The chief incident was the seizure of the
property of the New York and Bermudez
Asphalt Company by a receiver named by
the Venezuelan courts. The company has
submitted to the United States court its
claim for the return of its property, but
because of the influence exercised on the
courts by Castro, the State Department
believes this to be true, and has made re-
peated representations, but to little avail.

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DEPUTY SUCCEEDS GEO. U. HEIMBURGER

Council Elects James A. Smith
Building Commissioner After
Some Hesitation.

DETERMINED LEGAL STRUGGLE

Deposed Official Seeks to Re-
strain His Removal—Perplex-
ing Situation Believed—Ap-
pointment Is Approved.

James A. Smith, Deputy Building Com-
missioner, was chosen by the Council yes-
terday afternoon to fill the vacancy
caused by the removal of George U.
Heimburger by Mayor Wells last Tuesday.

The election was practically unanimous,
his name being the only one presented to
the Council. Mr. Smith has two years to
serve.

The appointment was the culmination
of a day of worry and anxiety on the
part of Mayor Wells, City Counselors
Bates and Woerner, and the heads of the
various city departments. It was made
in the face of the most determined legal
struggle in the history of the city by Mr.
Heimburger, the deposed Commissioner,
and his attorneys, Messrs. Bell and Frum-
berg.

Up to the very last moment the aid
of the courts was invoked to restrain the
Council from electing Mr. Heimburger's
successor, although an opinion from Mr.
Bates clearly stated that the writ of cer-
tiorari granted by Judge Kinney had no
injunctive jurisdiction as far as the elec-
tion of a new Building Commissioner was
concerned.

The Council, however, hesitated, and
several of the members of that body con-
sidered their attorneys before becoming a
part of the proceedings. After the time
for the convening of the Council a Deputy
Sheriff hastened into the chamber and
handed each of the members of that body
a summons. The summons had the effect
of temporarily causing a halt in the
proceedings.

The gallery was filled with spectators
awaiting the action of the Council, and
the auditorium accommodated many
friends of the deposed Commissioner. It
was immediately evident that the Council
had decided to act according to the in-
structions of the City Counselor. A mo-
tion to suspend all business and proceed
to the election of the new Commissioner
was adopted. Councilman Rolfe arose
and proposed the name of Deputy Com-
missioner Smith. He was seconded by Mr.
Sheehan.

DEPUTY IS ELECTED
President Hornsby then had the clerk
read the instructions from Mr. Bates. The
clause of the opinion upon which the Coun-
cil acted followed:

"The operation of the writ is merely to re-
strain the proceedings of the trial from the
seizure of the City Council for a review
by that court of the legality of such pro-
ceedings."

The writ has no effect whatever upon the
Council or any of its members. It may take
the form of a writ of certiorari, but it
does not prevent the Council from acting
in accordance with the instructions of the
City Counselor.

A vote was then taken on Mr. Smith,
being the only candidate for the posi-
tion. Councilmen Boyce, Gibson, Hitch-
cock, Sheehan, Spiegelhalter, Marks,
Newell, Rolfe, Markham and President
Hornsby cast their ballot for Smith. Mr.
Lawler being the only member present
who did not vote.

Mr. Smith's final and takes effect
immediately. In proposing Mr. Smith's
name, Councilman Rolfe stated that the
Deputy Commissioner had received the
endorsement of the Chamber of Architects
and was eminently qualified to fill the
place.

Mr. Smith comes into the office of
Building Commissioner with an enviable
record. His activity and insistence on the
owners of theaters complying with the
building ordinances after the fire of the
Theater district, brought him prominently
before the public eye.

At that time Mr. Smith, acting in Mr.
Heimburger's absence, began such a
vigorous campaign against the theaters
that many of them temporarily suspended
business. His efforts in this direction were
in a large measure responsible for the new
building ordinance of the city now before
the Council.

Mr. Smith has been responsible for a great
measure for the holding up of the great
city. His determination to have the
penalty clauses of the ordinance enforced
with several other points of vital interest
to the welfare and safety of the public in
public buildings, has caused a deadlock
between the two houses of the Municipal
Assembly, with the result that a con-
ference committee has been appointed to
confer on the provisions of the measure.

MAN OF EXPERIENCE
The new Building Commissioner is 33
years old. He came to this city when 5
years old, and received his education in
the Christian Brothers' school at St. Louis
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Architect Moulthrop. He afterwards
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FOUR WITNESSES PARTIALLY CORROBORATE COOK'S STORY OF ATTEMPT TO GET HIS VOTE.

Continued From Page One.

with the exception of Dryden of Kansas
City and Dearing of Washington.
When it was remarked that two many
adjustments were being taken, Conkling
of Carroll remarked that the State could
well afford to pay the Assembly for ad-
journing on Saturday, and that the adjourn-
ment was finally adopted in the House by a
vote of 11 to 2.

During the discussion a telegram from
Senator Cockrell to Chairman Conkling
of the House Democratic caucus, in which
he stated that the adjournment
could be taken over Saturday, was read
to the House.

PREWITT WILL RETURN TO CAPITAL TUESDAY.

REPUBLIC SPECIAL.
Nevada, Mo., Jan. 20.—Judge W. H.
Prewitt, Vernon County's representative,
who was called home by the death of his
mother, will return to Jefferson City
Tuesday morning, he having been "paired"
Representative Smith until that time.

The body of Mr. Prewitt's mother was
taken to Lexington for burial.

ST. JOSEPH CITY OFFICIALS APPEAL FOR NIEDRINGHAUS.

REPUBLIC SPECIAL.
St. Joseph, Mo., Jan. 20.—City officials
are preparing a petition to be forwarded
to Jefferson City, demanding of the Legis-
lature that it stand by the action of the
council and elect Thomas Niedringhaus as
Senator. Not all the members of the original
Niedringhaus team, but they say the de-
cision of the council should be binding
since Republicans of all complexions of
factual faith participated in it.

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